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12 Attorneys for Plaintiff DAVID PRATT

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA

16 DAVID PRATT, an individual, directly and  
derivatively on behalf of 3G GREEN GARDEN  
17 GROUP, LLC D.B.A. EMERALD HARVEST, a  
California Limited Liability Company,

18 Plaintiffs,

19 v.

20 ROBERT C. HIGGINS, an individual;  
21 SHARON E. HIGGINS, an individual, 3G  
22 GREEN GARDEN GROUP, INC., a Canadian  
Corporation and EMERALD HARVEST, INC.,  
a Canadian Corporation,

23 Defendants.

24 -and-

25 3G GREEN GARDEN GROUP, LLC D.B.A.  
EMERALD HARVEST, a California Limited  
26 Liability Company,

27 Nominal Defendant.

Case No: 4:22-cv-04228-HSG

**STIPULATED REQUEST TO ADVANCE  
THE HEARING DATE ON THE  
MOTION TO DISMISS AND CASE  
MANAGEMENT CONFERENCE;  
ORDER**

Date Action Filed: June 15, 2022

1 Pursuant to Civil Local Rule 6-2, Plaintiff David Pratt and Defendants Robert C. Higgins,  
2 Sharon E. Higgins, 3G Green Garden Group, Inc., Emerald Harvest, Inc., and Nominal  
3 Defendant 3G Green Garden Group, LLC (together, “Defendants”), by and through their  
4 respective counsel of record, hereby submit this stipulated request:

5 **WHEREAS**, Plaintiff filed the First Amended Complaint on August 24, 2022 (Dkt. 16);

6 **WHEREAS**, Defendants filed a Motion to Dismiss that is set for hearing on February 2,  
7 2023 at 2:00 p.m. (Dkt. 22);

8 **WHEREAS**, the Court has continued the Initial Case Management Conference previously  
9 set for October 25, 2022 to February 2, 2023 at 2:00 p.m., to be held along with the hearing on the  
10 Motion to Dismiss (Dkt. 28);

11 **WHEREAS**, the Court’s scheduling notes indicate availability on January 19, 2023;

12 **WHEREAS**, the parties conferred and agreed that it is in their mutual interests and  
13 convenience to accelerate the aforementioned hearing and case management conference to January  
14 19, 2023;

15 **WHEREAS**, the parties previously stipulated to extend the time for Defendants to respond to  
16 the initial complaint (Dkt. 9), and the Court previously granted the parties’ stipulation for a longer  
17 briefing schedule for the Motion to Dismiss (Dkt. 19), and no other time modifications have been  
18 requested in this case either by stipulation or by Court Order;

19 **WHEREAS**, the advancement of this hearing date will not alter the date of any other event  
20 or deadline already fixed by Court order and will not have any effect on the schedule for the case;

21 **NOW THEREFORE, THE PARTIES HEREBY STIPULATE AND REQUEST** that  
22 that the hearing date on the Motion to Dismiss and the Initial Case Management Conference be  
23 advanced from February 2, 2023, to January 19, 2023, at 2:00 p.m.

24 **IT IS SO STIPULATED AND REQUESTED.**

25 Date: October 20, 2022

NOSSAMAN LLP  
DAVID C. LEE  
ILSE C. SCOTT

27 By: /s/ Ilse C. Scott  
Ilse C. Scott

Attorneys for Plaintiff DAVID PRATT

Date: October 20, 2022

By: s/ Matthew Borden

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*Counsel for Defendants Robert C. Higgins,  
Sharon E. Higgins, 3G Green Garden Group,  
Inc., Emerald Harvest, Inc., and Nominal  
Defendant 3G Green Garden Group, LLC*

## **ATTESTATION OF FILER**

Pursuant to Civil Local Rule 5-1(h)(3), the undersigned ECF user whose identification and credentials are being used to file this document hereby attests that all signatories have concurred and agreed to the filing of this document.

By: /s/ Ilse C. Scott  
Ilse C. Scott

## ORDER

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: 10/24/2022

Haywood S. Gilliam, Jr.  
Hon. Haywood S. Gilliam, Jr.  
United States District Judge